upon the land and receives the injury by playing with the turntable. An invitation cannot be implied from the fact that the turntable, designed for another purpose, furnishes a place for play.

Ludlow, J., dissenting. *Del., L. & W. R. Co.* v. *Reich*, 40 Atl. (N. J.) 682 Dixon, Ludlow and Krurger, J. J., dissenting, held similarly.

DAMAGES—DEATH OF STEPFATHER—RIGHT OF ACTION—MARSHALL v. MACON SASH, DOOR & LUMBER CO.—30 S. E. (Ga.) 571. Civil Code, sec. 3828, giving, "A widow, or if no widow, a child or children," a right to recover "for the homicide of the husband or parent," *held*, not to give a child such right of action for the homicide of its stepfather. Although in *Holloway* v. *Holloway*, 86 Ga. 576, 12 S. E. 943, it was held that one who undertakes to care for stepchildren is the head of a family, under the homestead law, yet the present Statute is in derogation of the common law, and must be strictly construed.

DAMAGES—MUNICIPAL CORPORATIONS—LIABILITY FOR NEGLIGENCE OF SERVANTS.—CONNELLY ET UX. V. MAYOR, etc., OF CITY OF NASHVILLE., 46 S. W. Rep. 565. When plaintiff receives personal injury as the result of the negligent acts of the driver of a street sprinkling cart owned and operated by the City, it was *held* that the City is not liable for such negligent acts, since it is thereby engaged in the discharge of a govenmental duty in promoting the general health, as distinguished from a duty purely corporate or ministerial.

DAMAGES—NEGLECT OF GRAVES.—GEORGE V. CYPRESS HILLS CEMETERY, 52 N. Y. Supp. 1097.—Plaintiff in visiting the grave of her husband, situated in what was called the "public ground," in defendant's cemetery, was poisoned by poison ivy growing thereon. Defendant was not hired to give special care to the grave, and only mowed and cleared up the ground once or twice a year. It did not appear that the ivy had been growing there for any great length of time, or that defendant knew of its presence. *Held*, defendant was not liable on the ground of negligence. Woodward, and Hatch, J. J., dissent in lengthy opinion, citing especially *Crowhurst* v. *Burial Board*, 4 Exch. Div. 5, where the cemetery was held responsible for the death of plaintiff's horse, which had browsed on the leaves of yew trees planted in the cemetery, on the analogy of *Fletcher* v. *Rylands*, L. R. 1 Exch. 265, at page 279.

ENLISTMENT MINOR—SOLOMON SHERIFF V. DAVENPORT—87 Fed., Rep. 318. The provision of the United States Statutes, R. S. 1117, requiring the written consent of a parent or guardian to the enlistment of a minor, is for the benefit of the parent or guardian, and confers no privilege on the minor.

EQUITY—JURISDICTION—INJUNCTION—SPECIFIC PERFORMANCE.—STANDARD FASHION CO. V. SIEGEL-COOPER CO. ET AL., 52 N. Y. Suppl. 433. A court of equity cannot decree specific performance of a contract when the business involved would be of a continuous nature, and thus brought under the management of the court; but it will enjoin the violation of a negative covenant by which defendant agreed "not to sell or allow to be sold on its premises during the duration of this contract any other make of paper patterns." *Fargo* v. *Railroad Co.*, 23 N. Y. Supp. 360, cited as sustaining this view in its reasoning, although opposed in its result. See also *Singer Sewing Mach. Co.* v. *Union Buttonhole and Embroidery Co.*, Fed. Cas. No. 12,904; *Chicago & A. Ry. Co.* v. *N. Y., L. E. & W. R. Co.*, 24 Fed. 521; Pomeroy Eq. Juris.,